

An Overview of 2006 Mental Health Changes

INITIAL SESSION LIMITS

- ❑ Adult victims now have 40 initial sessions, up from 30.
- ❑ Derivative victims who are minors, for example the children or siblings of a victim, now have 30 sessions, up from 15.
- ❑ Primary caretakers of a minor victim at the time of the crime now have 30 sessions per caretaker, rather than 30 sessions shared between caretakers.

COLLATERAL SESSIONS

- ❑ Allowable collateral sessions for minors (for example, sessions that include a teacher or Child Protective Services worker) have been increased to six sessions within the overall session limit, up from three.

ADDITIONAL SESSIONS

- ❑ A victim no longer needs to show permanent impairment before additional treatment may be authorized.
- ❑ Additional treatment may be allowed even if there is only a single (one-time) serious threat of harm, or violent act that causes serious bodily injury to a victim, if the additional treatment is warranted.
- ❑ When treatment is needed because an offender is being released from prison, or a victim needs to appear in a criminal proceeding, the guidelines have been clarified to state that counseling must be "initiated" within three months after learning of the release or criminal proceeding, instead of "provided" within three months after learning of the release or criminal proceeding.

DOCUMENT SUBMISSION

- ❑ Providers are no longer required to submit a Treatment Progress Report after 15 sessions in order for the remainder of the initial sessions to be authorized. Once a provider has submitted a Treatment Plan after the first five sessions per claim, and that plan is approved, no further reports are required unless the provider needs to request additional treatment beyond the initial session limits. (i.e., 15, 30, or 40, depending on the victim's benefit level).

REIMBURSEMENT RATES

- ❑ Mental health rates may be reimbursed per session:
 - Up to \$130 for individual therapy by a Psychiatrist
 - Up to \$110 for individual therapy by a Psychologist
 - Up to \$90 for individual therapy by a Marriage and Family Therapist (MFT), Licensed Clinical Social Worker (LCSW), Psychiatric Mental Health Nurse, and Clinical Nurse Specialist
 - Group therapy rates continue to be reimbursed at 40 percent of the individual therapy rates.

EFFECTIVE DATES

- ❑ Initial session limit changes are effective for applications submitted on or after January 24, 2006.
- ❑ Reimbursement rate changes are effective for dates of service on or after March 1, 2006.

HOW TO GET MORE INFORMATION

- ❑ Visit www.victimcompensation.ca.gov
- ❑ Call us at 1-800-777-9229
- ❑ Contact us by email at info@vcgcb.ca.gov
- ❑ Write to us at: Victim Compensation Program, P. O. Box 3036, Sacramento, CA 95812-3036
- ❑ Contact the local Victim Witness Center in your county.

Changes to Mental Health Session Limitations and Requirements

	2003 (Old)	2006 (New) Effective for applications submitted on or after January 24, 2006.
Adult victims	Adult victims may be reimbursed for up to 30 sessions.	Adult victims may be reimbursed for up to 40 sessions.
Minor victims	Minor victims may have up to 40 sessions.	No change.
Adult derivative victims	Reimbursement for up to 15 sessions, except survivors of homicide victims who may be reimbursed for up to 30 sessions.	No change.
Minor derivative victims	Reimbursement for up to 15 sessions, except survivors of homicide victims who may be reimbursed for up to 30 sessions.	All minor derivative victims may have up to 30 mental health sessions.
Primary caretakers at the time of the crime	Up to two derivative victims who were the primary caretakers of the victim at the time of the crime received a shared benefit of up to a total of 30 mental health sessions.	Up to two derivative victims who were the primary caretakers of the victim at the time of the crime may each receive 30 mental health sessions.
Collateral session limit for minors	No more than three sessions were reimbursed for meetings or discussions between the treating therapist and collateral contacts of the person being treated.	Up to six sessions will be reimbursed for meetings or discussions between the treating therapist and collateral contacts of the person being treated.
Elimination of Treatment Progress Report (TPR)	In cases where the initial counseling session limitation was 30 or 40 sessions, submission and approval of a Treatment Progress Report (TPR) was required to exceed 15 sessions.	The TPR is no longer required.
Changes to requirements in order to authorize additional treatment	<ul style="list-style-type: none"> ❑ To qualify for additional treatment, the qualifying crime must have resulted in permanent and substantial impairment to the victim's activities of daily living. ❑ Additional sessions were only allowed if the qualifying crime included <u>a series of</u> acts of significant frequency or duration. 	<ul style="list-style-type: none"> ❑ To qualify for additional treatment, impairment to the victim's activities of daily living no longer has to be permanent. ❑ Additional mental health sessions will be allowed for qualifying crimes that consist of <u>a single act</u> that a reasonable person would consider to constitute a threat of serious harm to body integrity, or <u>a single act</u> that resulted in serious bodily injury.
Change in reference to the Diagnostic and Statistical Manual	Specific references to the "Diagnostic and Statistic Manual of Mental Disorders, 4 th Edition, (DSM IV)" were used when describing the professional guidelines followed by the Victim Compensation Program.	Specific references to "the most recently published version of the DSM" will be used when describing the professional guidelines followed by the Victim Compensation Program.
Changes to limitations for participants in legal proceedings or upon learning of offender's release	Mental health counseling must have been provided within three months of the victim's participation in a criminal proceeding, within three months of learning that the victim will be required to be involved to participate in the proceedings, within three months of the offender's release, or within three months of the victim learning of the offender's release.	Mental health counseling may be initiated within the time period beginning at the time the victim learns that he/she is required to be involved with a criminal proceeding (or that the offender is to be released) and ending three months after the victim's actual involvement (or the offender's actual release).